

**Remarks**

Claims 1-4, 6-8, 13, 16, and 23-35 were rejected as or unpatentable over KUDO et al. 6,853,037 in view of O 7,088,964 and the admitted prior art (APA). Reconsideration and withdrawal of the rejection are respectfully requested.

The references do not disclose a device with the MOS transistors and varactor element as defined in the claims where the thickness of the second gate insulating film in the varactor element is thinner than the thinnest gate insulating film among the first gate insulating films of the MOS transistors. Accordingly, the claims avoid the rejection under §103.

KUDO discloses a semiconductor device with a plurality of MOS transistors having different gate insulating film thicknesses.

O discloses that CMOS varactors are generally formed using design rules for logic devices and that logic devices are generally significantly smaller than I/O devices and use a thinner gate oxide (column 11, lines 17-21).

The APA acknowledges that logic devices and I/O devices are generally formed on the same chip.

Thus, the combination of these three references disclose that in a chip with logic devices and I/O devices, the thinnest gate insulating films among the MOS transistors is to be found in the logic devices. That is, the combination merely discloses that the gate insulating film of the varactors element is the

same thickness as that of a gate insulating film of the thinnest MOS transistor on the chip. There is nothing in the combination that discloses that the thickness of the second gate insulating film in the varactor element is thinner than the thinnest gate insulating film among the first gate insulating films of the MOS transistors.

Claim 23 and the dependent claims are allowable for the same reason.

In view of the foregoing remarks, it is believed that the present application is in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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